

Adopted	Rejected
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## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on Interstate and International Cooperation, to which was referred Senate Bill 412, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1       Page 1, delete lines 6 through 17, begin a new paragraph and insert:  
 2       "SECTION 2. IC 4-1-10-5.5 IS ADDED TO THE INDIANA CODE  
 3       AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
 4       UPON PASSAGE]: **Sec. 5.5. Unless prohibited by state law, federal**  
 5       **law, or a court order, the following apply:**  
 6       **(1) A state educational institution may disclose, in addition to**  
 7       **the disclosures otherwise permitted by this chapter, a Social**  
 8       **Security number of an individual to the following:**  
 9       **(A) A state, local, or federal agency or a person with whom**  
 10       **a state, local, or federal agency has a contract to perform**  
 11       **the agency's duties and responsibilities.**  
 12       **(B) A person that the state educational institution contracts**  
 13       **with to provide goods or services to the state educational**  
 14       **institution if:**

1 (i) the disclosure is necessary for the contractor to  
2 perform the contractor's duties and responsibilities  
3 under the contract; and

4 (ii) the contract requires adequate safeguards, including  
5 any safeguards required by state or federal law, to  
6 prevent any use or disclosure of the Social Security  
7 numbers for any purpose other than those purposes  
8 described in the contract and to require the return or  
9 confirmed destruction of any Social Security numbers  
10 following termination of the contractual relationship.

11 (C) Persons to whom the state educational institution may  
12 otherwise legally disclose for the permissible purposes of  
13 the following:

14 (i) The Family Education Rights and Privacy Act (20  
15 U.S.C. 1232g et seq.).

16 (ii) The Health Insurance Portability and Accountability  
17 Act (42 U.S.C. 201 et seq.).

18 (D) The state educational institution's legal counsel, but  
19 only to the extent that a state educational institution could  
20 disclose a Social Security number to an in-house counsel.

21 (2) Consent for the authorized disclosure of any individual's  
22 Social Security number may be given to a state educational  
23 institution by electronic transmission if the state educational  
24 institution is reasonably able to verify the authenticity of the  
25 consent. A state educational institution may rely on the  
26 written consent of an individual given to a third party if the  
27 consent expressly permits the disclosure of the individual's  
28 Social Security number by the state educational institution.".

- 1 Delete page 2.
- 2 Page 3, delete lines 1 through 28.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 412 as reprinted February 23, 2007.)

**and when so amended that said bill do pass.**

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Representative Harris E